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-and-

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**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY**

In re:	Chapter 11
LTL MANAGEMENT LLC, ¹ Debtor.	Case No.: 21-30589 (MBK)
LTL MANAGEMENT LLC, Plaintiff,	Judge: Michael B. Kaplan
v.	
STATE OF NEW MEXICO, <i>ex rel.</i> HECTOR H. BALDERAS, Attorney General, and STATE OF MISSISSIPPI, <i>ex rel.</i> LYNN FITCH, Attorney General, Defendants.	Adv. Pro. No.: 22-01231 (MBK)

**DECLARATION OF ROBERT K. MALONE PURSUANT TO 28 U.S.C. § 1746
IN SUPPORT OF THE MOTION OF STATES OF NEW MEXICO AND MISSISSIPPI
FOR CERTIFICATION OF DIRECT APPEAL TO THE UNITED STATES COURT OF
APPEALS FOR THE THIRD CIRCUIT**

¹ The last four digits of the Debtor's taxpayer identification number are 6622. The Debtor's address is 501 George Street, New Brunswick, New Jersey 08933.

ROBERT K. MALONE, of full age, under penalty of perjury hereby declares as follows:

1. I am an attorney-at-law in the State of New Jersey, a member of the Bar of this Court, and a Director at the law firm of Gibbons P.C., counsel for the State of New Mexico and the State of Mississippi (collectively, the “**States**”) in the above-captioned adversary proceeding.

2. I submit this Declaration in connection with the *Motion of States of New Mexico and Mississippi for Certification of Direct Appeal to the United States Court of Appeals for the Third Circuit*, filed contemporaneously herewith. Unless stated otherwise, I have personal knowledge of the matters set forth herein.

3. Attached hereto as **Exhibit A** is a true and correct copy of the *Order Granting the Debtor’s Request for Preliminary Injunctive Relief* entered by The Honorable Michael B. Kaplan, Chief United States Bankruptcy Judge for the District of New Jersey, in *In re LTL Management LLC*, No. 21-30589, Adv. Pro. No. 22-01232 (MKB) (Bankr. D.N.J. Oct. 27, 2022), ECF No. 33.

4. Attached hereto as **Exhibit B** is a true and correct copy of the *Memorandum Opinion* published by The Honorable Michael B. Kaplan, Chief United States Bankruptcy Judge for the District of New Jersey, in *In re LTL Management LLC*, No. 21-30589, Adv. Pro. No. 22-01232 (MKB) (Bankr. D.N.J. Oct. 4, 2022), ECF No. 31.

5. Attached hereto as **Exhibit C** is a true and correct copy of the Transcript of Hearing before The Honorable Michael B. Kaplan, Chief United States Bankruptcy Judge for the District of New Jersey, in *In re LTL Management LLC*, No. 21-30589, Adv. Pro. No. 22-03021 (MKB) (Bankr. D.N.J. Mar. 30, 2022).

6. Attached hereto as **Exhibit D** is a true and correct copy of the Transcript of Oral Argument before The Honorable Thomas L. Ambro, The Honorable L. Felipe Restrepo, and The Honorable Julio M. Fuentes, United States Judges for the Third Circuit Court of Appeals, in *In re LTL Management LLC*, Nos. 22-2003, *et al.* (3d Cir. Sept. 19, 2022).

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Executed on: November 3, 2022

/s/ Robert K. Malone

Robert K. Malone